

Present: President Peddie; President Pro-Tem Abboud; Members: George, Hrydziuszko, Mooney, Mueller, and Nunez

Absent: None

Also Present: Village Manager, Wilson
Village Clerk / Assistant Manager, Rutkowski
Village Attorney, Ryan
Public Safety Director, Torongeau

Peddie called the regular Council meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road. The Pledge of Allegiance was recited by those in attendance.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Mooney, second by Abboud, to approve the agenda as published.

Motion passed.

COMMUNITY ANNOUNCEMENTS

None.

PUBLIC COMMENTS

None.

CONSENT AGENDA

Motion by Mooney, second by Mueller, be it resolved, the consent agenda is approved as published.

1. Review and consider approval of minutes of a regular Council meeting held December 17, 2019.
2. Review and file bills recapped as of Monday, December 23, 2019.
3. Review and file bills recapped as of Monday, January 6, 2020.

Roll Call Vote:

Motion passed (7-0)

BUSINESS AGENDA

PUBLIC HEARING TO RECEIVE COMMENTS ON PROPOSED ORDINANCES 371, 372, 373, 374, 375, 376, AND 377 AMENDING THE VILLAGE OF BEVERLY HILLS MUNICIPAL CODE, CHAPTER 22, ZONING ORDINANCE

Sections 22.10, 22.14, 22.16, 22.18, 22.20, and 22.22

Pursuant to the direction of Council following the joint meeting in February, the subcommittee and administration have been working on updates to the language for the allowable uses of Sections 22.10, 22.14, 22.16, 22.18, 22.20, and 22.22.

The sections of the Zoning Ordinance which address principal and special land uses by Zone District are dated and updates to those sections is identified as item Z10 in Master Plan Action Items. A majority of the language is from the last Zoning Ordinance overhaul, which took place

in 1985. There have been some minor updates in the interim, for example, added exterior storage for gas stations in 2012, and added language about in-home child care in 1991. However, the uses do not address many modern commercial activities and do not reflect changes to federal and state statutes that have occurred, such as updates to regulations regarding religious facilities (RLUIPA) and public-school exemption from local zoning.

The proposed modifications to the language in the Zone Districts are to add new/modernized language and uses, as well as to address consistency in formatting and statutory updates. The Village has noted the current language is limiting when inquiries for modern commercial uses are requested but there is no comparable language in the Zoning Ordinance. Similarly, the Village's current language should be updated to be in compliance with federal and state regulations of specific uses. Finally, there were formatting updates to the sections which aide in usability for Village officials and administration, as well as for the public.

Section 22.40 Amendments

Pursuant to the direction of Council following the joint meeting in February, the subcommittee and administration have been working on updates to the language for amendments to the Zoning Ordinance, Section 22.40 Amendments.

The proposed modifications to the language in this section are to clarify procedures, add submittal requirements, add standards for review of rezoning requests, and add standards for conditional rezoning agreements.

The current language is lacking any enumerated review standards by which the Planning Commission and Village Council shall review a proposed rezoning of property, submittal requirements for an applicant requesting a rezoning of property, and standards for a conditional rezoning agreement. This is an item Z7 and Z8 in the Master Plan Action Items as mid-term priority, by 2020. These are powers that are granted to the Village by the MZEA but officials should have clear standards by which they make the decision to approve or deny any such requests. Administration has seen an increase in inquiries about rezoning opportunities, especially for existing institutional uses. The addition of these standards will help the Village provide clear and consistent standards to follow upon request for rezoning of a property and ensure the applicant has guidance to provide a complete submittal package.

Upon conducting the public hearing on Wednesday, November 20, 2019, the Commission made a recommendation to Council for adoption of the proposed amendments. Procedurally, the Council must hold a public hearing as well as first and second reading of the language prior to adoption. If the language is adopted by Council, the changes would take effect 20 days after publication in the newspaper.

Proposed changes are available for public review online and in the Village offices.

Peddie opened the public hearing at 7:34 p.m.

No one wished to be heard, therefore the public hearing was closed at 7:34 p.m.

FIRST READING OF ORDINANCE 371, AMENDING THE VILLAGE ZONING ORDINANCE, CHAPTER 22, SECTION 22.16 R-M MULTIPLE FAMILY RESIDENTIAL DISTRICT

Ryan reviewed the changes to the ordinance, and the inclusion of user-friendly tables. The ordinance in its entirety is available online and at the Village offices.

FIRST READING OF ORDINANCE 372, AMENDING THE VILLAGE ZONING ORDINANCE, CHAPTER 22, SECTION 22.18 P-PARKING DISTRICT

Ryan reviewed the changes to the ordinance, and the inclusion of user-friendly tables. The ordinance in its entirety is available online and at the Village offices.

FIRST READING OF ORDINANCE 373, AMENDING THE VILLAGE ZONING ORDINANCE, CHAPTER 22, SECTION 22.14 R-A, R-1, R-1A, R-2, R-2A, R-2B, AND R-3 SINGLE FAMILY RESIDENTIAL

Ryan reviewed the changes to the ordinance, and the inclusion of user-friendly tables. The ordinance in its entirety is available online and at the Village offices.

FIRST READING OF ORDINANCE 374, AMENDING THE VILLAGE ZONING ORDINANCE, CHAPTER 22, SECTION 22.10 PP-PUBLIC PROPERTY DISTRICT

Ryan reviewed the changes to the ordinance, and the inclusion of user-friendly tables. The ordinance in its entirety is available online and at the Village offices.

FIRST READING OF ORDINANCE 375, AMENDING THE VILLAGE ZONING ORDINANCE, CHAPTER 22, SECTION 22.22 B-BUSINESS DISTRICT

Ryan reviewed the changes to the ordinance, and the inclusion of user-friendly tables. The ordinance in its entirety is available online and at the Village offices.

FIRST READING OF ORDINANCE 376, AMENDING THE VILLAGE ZONING ORDINANCE, CHAPTER 22, SECTION 22.20 O-1 OFFICE DISTRICT

Ryan reviewed the changes to the ordinance, and the inclusion of user-friendly tables. The ordinance in its entirety is available online and at the Village offices.

FIRST READING OF ORDINANCE 377, AMENDING THE VILLAGE ZONING ORDINANCE, CHAPTER 22, SECTION 22.40 AMENDMENTS

Ryan reviewed the changes to the ordinance. The ordinance in its entirety is available online and at the Village offices.

FIRST ANNOUNCEMENT OF BIRMINGHAM AREA CABLE BOARD VACANCY

Administration recently received Robert Borgon's resignation from the Birmingham Area Cable Board (BACB), which creates a vacancy on the Board for a partial term ending June 30, 2022.

The BACB meets the third Wednesday of the month at 7:45 AM at the Village Municipal Building. All eligible and interested residents are encouraged to apply by submitting an application to the Village Clerk's Office by January 30, 2020. Applications can be found on the Village website or at the Village Office.

Motion by Mooney, second by Mueller, to accept the resignation of Robert Borgon from the BACB.

Motion passed.

PUBLIC COMMENTS

None.

MANAGER'S REPORT

Southfield Road Public Meeting – At a previous meeting I had mentioned to Council about possibly doing a public meeting this Winter/Spring to invite the public to review and comment on the 13 Mile reconstruction project scheduled for Summer 2020. HRC reached out to me to indicate that the City of Southfield was also considering a similar public forum. I suggested having one public meeting for both communities and holding it a large venue, perhaps the auditorium at Groves. No details have been finalized. If Council is agreeable to such an arrangement, I can work the representatives from the City of Southfield to hold such a meeting.

Consumers Energy Incentive Payment – The Village's rehabilitation project on the boiler system in the Public Safety Building provided an opportunity for the Village to seek funding through Consumers Energy and their Business Energy Efficiency Program. Deputy Director Howard Shock applied for this program on behalf of the Village. The Village of Beverly Hills was awarded an incentive payment of \$4,678.20. Thank you to Deputy Director Shock for his efforts in obtaining this funding.

Christmas Tree Chipping – Christmas tree chipping will begin the week of Monday, January 6. Christmas trees can be placed at the curb for collection and disposal. Please make sure that trees are free of decorations and tinsel and not wrapped in plastic.

Beverly Hills Pistons Night – The Detroit Pistons have reached out to the Village to inquire about having a Beverly Hills night at an upcoming Pistons home game. Clerk Rutkowski was able to work with the Pistons staff and select the date of Sunday, March 29th. The Pistons will be hosting the Houston Rockets at 5:00 PM. Residents will be able to purchase discounted lower bowl tickets in Section 113 for \$85 per ticket. Upper Bowl tickets in Section 215 will be available for a discounted price of \$41. All ticket holders will receive a free gift and will be eligible to go onto the floor after the game and take one shot. All the seating will be grouped together within the eligible sections. A special message will also be displayed to recognize the Village. For every ticket sold, the Pistons will make a donation of \$5 to the Village for the planting of trees in Beverly Park. The Pistons will be providing a dedicated URL link for purchases for Beverly Hills Night. Thank you to Clerk Rutkowski for working on this wonderful community event.

Office Closed – Village Offices will be closed on Monday, January 20 in observance of Dr. Martin Luther King Jr. Day. Trash collection will not be interrupted.

COUNCIL COMMENTS

George reminded residents that the Strategy Session scheduled for Saturday is open to the public.

Hrydziusko reported that the Planning Commission approved a six-foot fence. The feedback she has received from residents is an interest in connecting sidewalks throughout the Village.

Mueller thanked Rutkowski for managing the buckthorn project at Beverly Park.

Abboud reported he would be attending the Capital Conference in Lansing.

Motion by Mooney, second by Nunez, to adjourn the meeting at 8:04 pm.

Motion passed.

Lee Peddie
Council President

Kristin Rutkowski
Village Clerk

Elizabeth M. Lyons
Recording Secretary